

**ROBERT J. BOYLE**  
**Attorney At Law**  
**299 Broadway**  
**Suite 806**  
**New York, N.Y. 10007**  
**(212)431-0229**  
**(212)431-0107 (fax)**

April 22, 2010

The Honorable Allyne R. Ross  
United States District Judge  
225 Cadman Plaza East  
Brooklyn, N.Y. 11201

VIA ECF

Re: *Harris v. United States*  
09 CV 4380 (ARR)

Dear Judge Ross:

This letter is respectfully submitted to request an enlargement from May 3, 2010 to May 24, 2010 for the petitioner to submit his memorandum of law in support of the instant 28 U.S.C. §2255 motion. This is petitioner's second request but it is the first request since I filed my Notice of Appearance on February 23, 2010.

This request is necessary for the following reasons. As Your Honor is aware the record in this case is extensive. I have completed review but need additional time to conduct independent investigation relevant to the §2255 claims. At the same time, I will likely be eliminating some of the issues raised in petitioner's motion that was filed *pro se*.

In addition to the foregoing business and personal matters will prevent me from meeting the deadline. I am under an order to file a memorandum on April 26, 2010 in a 28 U.S.C. §2254 petition, *Buari v. Kirkpatrick*, 09 Civ. 9516 (VM) (SDNY), a double homicide that also has an extensive record. I had planned to finish that memorandum two weeks ago but was unable to do so due to missing portions of the record that have now been located.

Finally, I am under contracts to both sell my current residence and purchase a new one. Various matters have

The Honorable Allyne R. Ross  
April 22, 2010

delayed this process but it is now likely that I will be closing on both and moving within the next few weeks. These transactions, have, and will, take some time away from work.

Assistant United States Attorney Richard Tucker has advised me that the government has no objection to his request. I likewise told him that should the government seek to file a reply memorandum, I would have no objection to that request.

Thank you for your kind attention to this matter.

Respectfully submitted,

ROBERT J. BOYLE  
Attorney for Dupree Harris

RJB:bms

cc: AUSA Tucker (via ECF)